



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY  
Materials Management Division

**LIQUID INDUSTRIAL BY-PRODUCT AND USED OIL INSPECTION**

*Under the Authority of Part 121, Liquid Industrial By-Products, Part 111, Hazardous Waste of 1994 PA 451, as amended (NREPA), and 40 Code of Federal Regulations (CFR) 279*

This document is used by EGLE inspectors and waste generators to determine compliance with Part 121 and Part 111

Facility's Name \_\_\_\_\_

Inspection Date \_\_\_\_\_ Site ID# \_\_\_\_\_ WDS# \_\_\_\_\_

LIQUID INDUSTRIAL BY-PRODUCT/USED OIL GENERATED	SOURCE	AMOUNT GENERATED/STORED	

Note: Used oil may be regulated under Part 121, Liquid Industrial By-Products, Part 111, Hazardous Waste, of the NREPA, Administrative Rules 809-816 for used oil, and 40 CFR 279, Standards for the Management of Used Oil.

Liquid Industrial By-Product (LIB), definition 12101(n), means any material that is produced by, is incident to, or results from industrial, commercial, or governmental activity, or any other activity or enterprise that is determined to be liquid by the paint filter liquids test, and is discarded. LIB does not include hazardous wastes regulated and manifested under Part 111, septage waste regulated under Part 117, Septage Waste Services, a discharge permitted under Part 31, Water Resources Protection, of the NREPA, medical waste regulated under Part 138 of the public health code, liquid generated by a household, or a liquid regulated under 1982 PA 239 (Bodies of Dead Animals Act). Material managed in accordance with Section 12102a in the following table also are not LIB.

CITATION(S)	Materials That Are Not LIB Part 121 List Exempted Waste in Each Box as Necessary
12102a.(a)	Material does not require reclamation prior to use, not directly burned to recover energy, not used to produce a fuel, is not applied to the land, or used in products applied to the land, AND: <input type="checkbox"/> Used/reused as an effective substitute for commercial products OR <input type="checkbox"/> Used/reused as ingredient to make a product OR <input type="checkbox"/> Returned to original process
12102a.(b)	Used oil directly burned to recover energy or to produce a fuel AND meets ALL the following: <input type="checkbox"/> Meets used oil specs R 299.9809(1)(f) arsenic $\leq$ 5 parts per million (ppm), cadmium $\leq$ 2 ppm, chromium $\leq$ 10 ppm, lead $\leq$ 100 ppm, flashpoint $\geq$ 100°F, total halogens $\leq$ 4000 ppm <input type="checkbox"/> Contains 2 ppm or less polychlorinated biphenyls <input type="checkbox"/> Minimum energy content of 17,000 British thermal units (BTU)/lb <input type="checkbox"/> Authorized as used oil fuel source (Part 55 or similar)
12102a.(c)	Liquid material fully contained inside a manufactured article
12102a.(d)	Liquid by-product sample transported for testing
12102a.(e) (i)-(ii)	Liquid not regulated under Part 615, Supervisor of Wells, of the NREPA, generated in drilling, operation, maintenance, well closure, cathodic protection, directional drilling, or other drilling operation if EITHER applies: <input type="checkbox"/> Liquid is left in place at point of generation in compliance with Part 31, Part 201, Environmental Remediation, Part 213, Leaking Underground Storage Tanks, of the NREPA, OR Liquid transported from a site other than a "facility" if: <input type="checkbox"/> Disposal complies with Part 31, Part 115, Solid Waste Management, of the NREPA

	<input type="checkbox"/> Not disposed to surface water <input type="checkbox"/> Disposal site landowner authorizes disposal
12102a.(f)	Liquid is vegetable or animal fat oil transported directly to biofuels producer
12102a.(g)	Off-spec fuel, gasoline blendstock, generated in pipeline to be processed into a fuel
12102a.(h)	Off-spec fuel, gasoline blendstock, generated by commingling or phase separation processed into fuel
12102a.(i)	Off-spec fuel transported directly to processing facility to produce fuel regulated under 40 CFR Part 80
12102a.(j)	Liquid or sludge authorized by Parts 31/115 applied to the land
12102a.(k)	Liquid residue remaining in an otherwise empty liquids container. NOTE: Container is considered empty if not more than 1 inch of residue remains on the bottom, or for containers less than or equal to 110 gallons in size, not more than 3% by weight of residue remains in the container, or for containers greater than 110 gallons in size, not more than 0.3% by weight of residue remains in the container. The liquid residue becomes subject to Part 121 when discarded.
12102a.(l)	Liquid residue remaining in a solid waste transportation container. Note: see above regarding empty containers and discarded residue.
12102a.(m)	Liquid brine authorized for dust control under Parts 31/615
12102a.(n)	Food processing residuals, site or source separated material (defined in 11503 Part 115) approved under Part 115, to produce biogas in compliance with Part 55, Air Pollution Control, of the NREPA
12102a.(o)	Liquid approved for use as biofuel in compliance with Part 55, not speculatively accumulated, and transported directly to biofuel burner

The following two tables apply to all LIB generators, transporters, and designated facilities (definition 12101(f) a treatment, storage, disposal, or reclamation facility that receives LIB from off-site).

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Duties of Generators, Transporters, and Designated Facilities Part 121	C	NC	NI	NA
12111(1)	LWI	If there has been a fire, explosion, or discharge of LIB since last inspection OR if LIB reached surface or groundwater, did the facility:  <input type="checkbox"/> Take appropriate immediate action protecting public health, safety, welfare, and the environment  <input type="checkbox"/> <u>Notify</u> local authorities and Pollution Emergency Alerting System and the department				
12111(2)	LWI	Within 30 days of incident: <input type="checkbox"/> Prepare a written report of response actions, analytical data, cleanup activity <input type="checkbox"/> Name/telephone of person reporting <input type="checkbox"/> Name/address/telephone/site ID of generator, transporter, or facility <input type="checkbox"/> Date/time/type of incident <input type="checkbox"/> Name/quantity of LIB in incident <input type="checkbox"/> Injuries <input type="checkbox"/> Quantity/disposition of recovered LIB <input type="checkbox"/> Potential hazards <input type="checkbox"/> Response actions Note: Incident regulated under Part 615, MI oil and gas regulations, exempt from this reporting (12111(3) & 12113(6))				

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Treatment, Storage, Disposal Requirements of Generators, Transporters, and Designated Facilities Part 121	C	NC	NI	NA
12113(1)	LBG LBD	<input type="checkbox"/> Storage of LIB protected from weather, fire, physical damage, and vandalism <input type="checkbox"/> All vehicles, containers, and tanks of LIB closed or covered				

		<input type="checkbox"/> Exterior of all vehicles, containers, tanks free of LIB or residue				
12113(2)	LBG LBD	Prevents discharge of LIB to soil, surface water, groundwater, drains, sewers, or in violation of Part 55				
12113(3)	LBG LBD	LIB treated, stored, and disposed of in accordance with all applicable statutes, rules, and orders of the department				
12113(4)	LBG LBD	Publicly owned Waste Water Treatment Facility receiving LIB <i>by transport</i> is a designated facility in accordance with the requirements of 12112				
12113(5)	LBG LBD	LIB treated, stored, and disposed in surface impoundment only if authorized by discharge or storage permit under Part 31 or leachate permit issued under Part 115				

The Following Table Applies to LIB Generators Only:

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Generator Duties Part 121	C	NC	NI	NA
12103(1)(a)	LBG	Each LIB stream has been fully characterized and has documentation				
12103(1)(b)	LBG	LIB containers and tanks are labeled or marked to identify contents				
12103(1)(c)	LBG	Using licensed (Act 138) LIB transporter				
12103(1)(d)	LBG	Shipping documents: <input type="checkbox"/> Written OR <input type="checkbox"/> Electronic <input type="checkbox"/> Single shipment document <input type="checkbox"/> Consolidated shipment receipt Includes: <input type="checkbox"/> Generator name & address <input type="checkbox"/> Transporter company name <input type="checkbox"/> Driver signature <input type="checkbox"/> Type, description, & volume of LIB <input type="checkbox"/> Date shipped <input type="checkbox"/> Name, address, ID# of designated facility <input type="checkbox"/> If consolidated, shipping document number				
12103(1)(e)	LBG	<input type="checkbox"/> On the shipping document, generator certifies LIB is fully and accurately described <input type="checkbox"/> In proper condition for transport <input type="checkbox"/> Information on shipping document is factual				
12103(1)(f)	LBG	Copy of shipping document accompanies LIB to designated facility				
12103(1)(g)	LBG	Confirmation of acceptance from designated facility				
12103(2) and Act 138 Sec. 3(9)	LBG	Generator self-transport LIB records: <input type="checkbox"/> Generated <input type="checkbox"/> Transported <input type="checkbox"/> Reclaimed or treated <input type="checkbox"/> Disposed <input type="checkbox"/> Shipping document <input type="checkbox"/> Motor carrier liability ins. (MCS-90)				
12103(3)	LBG	Generator retains all records for a period of at least three years and makes readily available for review				

The Following Table Applies to LIB Designated Facilities Only:

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Duties of Designated Facility Part 121	C	NC	NI	NA
12112(1)	LBD	Only accepts LIB with shipping document listing the designated facility as the generator's chosen destination				
12112(1)(a)	LBD	Designated facility has site ID# issued by Michigan or U.S. Environmental Protection Agency				
12112(1)(b)	LBD	Provides generator receipt confirmation of the LIB				
12112(1)(c)	LBD	Maintains records of waste characterization of each LIB accepted into the designated facility				
12112(2)	LBD	Storage, treatment, reclamation of LIB in only containers or tanks, unless regulated under Parts 615, 31, or 115				
12112(3)	LBD	<input type="checkbox"/> LIB intended for treatment and disposal stored 1 year or less, documentation required				

		<input type="checkbox"/> LIB intended for reclamation, 75% each year is reclaimed or transferred for reclaim, documentation required				
12112(4)(a)	LBD	3 years of all records of LIB received - waste characterizations, disposal, and reclamation. Available for review or can produce on request, electronic/paper.				
12112(4)(b)	LBD	Maintain a spill and hazard response plan for releases of LIB				
12112(4)(c)	LBD	Documentation of employee training of proper LIB handling and emergency procedures				
12112(5)	LBD	Submits to the department by April 30 each year a report of LIB activities in the previous calendar year				
12112(5)(a)-(c)	LBD	Report contains: <input type="checkbox"/> Name & address of designated facility <input type="checkbox"/> Calendar year covered by the report <input type="checkbox"/> Types and quantities LIB accepted <input type="checkbox"/> Description of process or management of LIB				
12112(6)	LBD	If designated facility received LIB from only 1 generator and is owned, operated, or legally controlled by that generator – annual reporting not required				

**NOTES:**

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Used Oil, definition Part 111, Hazardous Waste Administrative Rules, means any oil which has been refined from crude oil, or any synthetic oil, which has been used and which as a result of the use, is contaminated by physical or chemical impurities.

- a) Used oil includes (Rule 809(1)) (a) *some* mixtures of used oil and hazardous waste
- (b) material that contains or is otherwise contaminated with used oil *and* is burned for energy recovery
- (c) used oil drained or removed from materials that contain or are otherwise contaminated with used oil
- (d) a mixture of used oil and fuel
- (e) a material which is produced from used oil *and* is burned for energy recovery
- (f) used oil and any fuel produced from used oil by processing, blending, or other treatment that exceeds the used oil specifications of R 809(1)(f) and is burned for energy recovery
- (g) used oil that is recycled *and* is also a hazardous waste solely because it exhibits a hazardous characteristic
- (h) used oil that contains PCB less than 50 ppm, unless due to dilution, is greater than 50 ppm PCB and regulated under 40 CFR 761 (includes marketers and burners of used oil greater than 2 ppm PCB and also regulated under 40 CFR 761).

Used oil specifications of R 809(1)(f): arsenic ≤ 5 ppm, cadmium ≤ 2 ppm, chromium ≤ 10 ppm, lead ≤ 100 ppm, flashpoint ≥ 100°F, total halogens ≤ 4000ppm

**Notes:**

Used oil meeting all these specifications is considered *on-spec* used oil. Used oil that exceeds any of these specifications is considered *off-spec* used oil.

Used oil less than 1000 ppm total halogens is always regulated as used oil, and it can be used as is, reused, recycled, or burned as fuel in any way.

Used oil between 1000 ppm and 4000 ppm total halogens is considered *on-spec* used oil, but also a *hazardous waste*, unless a rebuttable presumption can prove that the total halogens are not the result of added/mixed halogenated hazardous waste.

Used oil between 1000 ppm and 4000 ppm total halogens with a successful rebuttable presumption is regulated as on-spec used oil and not as hazardous waste. Used oil between 1000 ppm and 4000 ppm total halogens with a failed rebuttable presumption, although on-spec, is regulated as hazardous waste.

Used oil with a successful rebuttable presumption, but has greater than 4000 ppm total halogens, is considered off-spec used oil and can only be burned for energy recovery.

CITATION(S)	Materials Not Regulated as Used Oil Part 121 & Part 111 List exempted waste in each box as necessary
R 809(1)(a) and (2)(a)	Used oil mixed with halogenated F, K, P, and U listed hazardous waste generated by Very Small Quantity Generator, Small Quantity Generator (SQG), or Large Quantity Generator (LQG) (regulated Part 111)
R 809(2)(a)	Used oil mixed with D001-D003 characteristic waste if the mixture still exhibits its hazardous characteristic. Or listed hazardous waste generated by SQG or LQG (regulated Part 111).
R 809(2)(b)	Used oil containing more than 1,000 ppm total halogens (Part 111, unless demonstrated non-hazardous), except for metalworking fluids containing paraffins or Chlorofluorocarbon refrigerants, as specified in 809(2)(b)(i) and (ii)
R 809(2)(c)	Used oil contained in a material, which has no visible signs of free-flowing oil (wipes, absorbents, drained filters), and the material is not burned for energy recovery
R 809(2)(d)	Mixture of used oil and diesel fuel if: <input type="checkbox"/> Mixed onsite by the generator <input type="checkbox"/> Used only in generator's vehicles
R 809(2)(e)	Used oil and materials derived from used oil disposed of or used in a manner constituting disposal
R 809(2)(f)	Used oil re-refining distillation bottoms used as asphalt manufacture feedstock
R 809(2)(g)	Wastewater with de minimis amounts of used oil regulated by federal clean water act or Part 31
R 809(2)(h)-(l)	Mixture of used oil and crude oil or natural gas liquids for insertion in crude oil pipeline or petroleum facility refining process
R 809(2)(m)	Tank bottoms from stock tanks containing exempt mixtures of used oil, crude oil, and natural gas liquids
R 809(2)(n)	Used oil <i>produced</i> from shipboard operations and <i>stored</i> onboard ship (when transported ashore, it is regulated as used oil)
R 809(2)(o)	Specification used oil in compliance with fuel marketer requirements of Rule 815 and CFR 279.73
R 809(2)(p)	Used oil containing polychlorinated biphenyl (PCB) 50 ppm or greater (no dilution allowed and regulated by CFR 761)

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Used Oil Disposal Requirements Part 111 Hazardous Waste Rules	C	NC	NI	NA
R 816(2)	279I	Used oil that is <i>not</i> hazardous waste and <i>cannot be recycled</i> in accordance with R 810-815 is managed under applicable federal and state regulations (regulated under Part 121) for disposal.				
R 816(3)	279I	Used oil is not used as a dust suppressant				

Used oil generator (definition R 109(x) means any person, by site, whose act or process produces used oil or whose act first causes the used oil to become subject to regulation).

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Used Oil Generator Requirements <i>Part 111 &amp; 40 CFR 279</i>	C	NC	NI	NA
R 810(2)	279C	Used oil generator exemptions: <input type="checkbox"/> Household DIY OR <input type="checkbox"/> Farmer generating 25 gallons/year or less from farm vehicles				
R 810(3) CFR 279.22	279C	A single container or tank ≥660 gallons or a total of all containers and tanks (55 gallons or larger) ≥1320 gallons must meet: <input type="checkbox"/> Secondary containment and spill reporting requirements of SPCC CFR 112/NREPA Part 5 PIPP <input type="checkbox"/> Underground Storage Tank (UST) requirements of CFR 280				
R 810(4)	279C	Used oil stored only in containers and tanks				
R 810(3) CFR 279.22(b)	279C	Containers and above ground tanks: <input type="checkbox"/> In good condition <input type="checkbox"/> No visible leaks				
R 810(3) CFR 279.22(c)	279C	<input type="checkbox"/> Containers/tanks labeled “Used Oil” UST <input type="checkbox"/> Fill pipes to UST labeled “Used Oil”				
R 810(3) CFR 279.22(d)	279C	If release occurred: <input type="checkbox"/> Stopped release <input type="checkbox"/> Contained release <input type="checkbox"/> Cleaned up release <input type="checkbox"/> Repaired/replaced leaking containers				
R 810(3) CFR 279.23(a)	279C	Burning used oil in onsite space heater: Burns only the generator’s used oil or DIY (with MI Air Quality permit) used oil				
R 810(3) CFR 279.23(b)	279C	Heater with maximum capacity of 0.5 million BTU/hr.				
R 810(3) CFR 279.23(c)	279C	Combustion gases vented to ambient air				
R 810(3) CFR 279.24	279C	Transported by transporter with EPA ID# & LIB credentials				
R 810(3) CFR 279.24(a), R 812(2), Act 138 Sec. 3(9)	279C	Self-transport without EPA ID# if: <input type="checkbox"/> Vehicle owned by generator or generator’s employee <input type="checkbox"/> Transports no more than 55 gallons at any time <input type="checkbox"/> Transport to used oil collection center with site ID# <input type="checkbox"/> Shipping document <input type="checkbox"/> Motor carrier liability insurance (MCS-90)				
R 810(3), CFR 279.24(b)(3), R 812(2), Act 138 Sec. 3(9)	279C	Self-transport to generator owned aggregation point: <input type="checkbox"/> Shipping document <input type="checkbox"/> Motor carrier liability insurance (MCS-90)				
R 810(3) CFR 279.24(c)	279C	Transporter with no EPA ID# under tolling contract if: <input type="checkbox"/> Reclaiming lubricant, cutting oil, or coolant Contract must contain: <input type="checkbox"/> Type of used oil <input type="checkbox"/> Frequency of shipment <input type="checkbox"/> Vehicle used is owned by the used oil processor/refiner <input type="checkbox"/> Oil is returned to generator				

Used oil collection center (definition R 109(t)) means any site or facility that has provided written notification of used oil management activities to the department, and which accepts, or aggregates and stores used oil from used oil generators in shipments of 55 gallons or less or from household DIY.

Used oil aggregation point (definition R 109(r)) means any site or facility that accepts, aggregates, and/or stores used oil that is collected only from other used oil generation sites owned or operated by the same owner or operator of the aggregation point in shipments 55 gallons or less or from household DIY.



CITATION(S)	WDS	Used Oil Collection Centers and Aggregation Points Part 111& 40 CFR 279	C	NC	NI	NA
R 811(1) R 811(2)(b) CFR 279.24 (a)-(b)	279D	<input type="checkbox"/> Aggregation point (AP) accepts used oil <b>only</b> from generation sites owned/operated by the AP owner and DIY <input type="checkbox"/> Only accepts shipments of 55 gallons or less <input type="checkbox"/> Written notification to the department of used oil activities				
R 811(1) and R 811(2)(b) CFR 279.24 (a)-(b)	279D	<input type="checkbox"/> Collection center accepts used oil from <b>any</b> used oil generator or DIY <input type="checkbox"/> Only accepts shipments of 55 gallons or less <input type="checkbox"/> Written notification to the department of used oil activities				
R 811(2)(a) R 810(3) CFR 279.22	279D	A single container or tank ≥660 gallons or a total of all containers and tanks (55 gallons or larger) ≥1320 gallons must meet: <input type="checkbox"/> Secondary containment and spill reporting requirements of SPCC CFR 112/NREPA Part 5 PIPP <input type="checkbox"/> UST requirements of CFR 280				
R 811(2)(a) R 810(4)	279D	Used oil stored only in containers and tanks				
R 811(2)(a) R 810(3) CFR 279.22(b)	279D	Containers and above ground tanks: <input type="checkbox"/> In good condition <input type="checkbox"/> No visible leaks				
R 811(2)(a) R 810(3) CFR 279.22(c)	279D	<input type="checkbox"/> Containers/tanks labeled “Used Oil” <input type="checkbox"/> Fill pipes to UST labeled “Used Oil”				
R 811(2)(a) R 810(3) CFR 279.22(d)	279D	If release occurred: <input type="checkbox"/> Stopped release <input type="checkbox"/> Contained the release <input type="checkbox"/> Cleaned up release <input type="checkbox"/> Repaired/replaced leaking containers				
R 811(2)(a) R 810(3) CFR 279.23(a)	279D	Burning used oil in onsite space heater: Burns only the generator’s used oil or DIY (with MI Air Quality permit) used oil				
R 811(2)(a) R 810(3) CFR 279.23(b)	279D	Heater with maximum capacity of 0.5 million BTU/hr				
R 811(2)(a) R 810(3) CFR 279.23(c)	279D	Combustion gases vented to ambient air				
R 811(2)(a) R 810(3) CFR 279.24	279D	Transported by transporter with EPA ID# & LIB credentials				
R 811(2)(a) R 810(3) CFR 279.24(a)	279D	Self-transport without EPA ID# if: <input type="checkbox"/> Vehicle owned by generator OR <input type="checkbox"/> generator’s employee Transports no more than 55 gallons at any time <input type="checkbox"/> Transport to used oil collection center with site ID#				
R811(2)(a) R810(3) CFR 279.24 (b)(3)	279D	Self-transport to generator owned aggregation point				
R 811(2)(a) R 810(3) CFR 279.24(c)	279D	Transporter with no EPA ID# under tolling contract if: <input type="checkbox"/> Reclaiming lubricant, cutting oil, or coolant Contract must contain: <input type="checkbox"/> Type of used oil <input type="checkbox"/> Frequency of shipment <input type="checkbox"/> Vehicle used is owned by the used oil processor/refiner <input type="checkbox"/> Oil is returned to generator				

Used oil processor/re-refiner (definition R 109(z)) means a facility that processes used oil.

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Used Oil Processors and Re-Refiners <i>Part 111 Hazardous Waste Rules and 40 CFR 279</i>	C	NC	NI	NA
R 813(2)(a) CFR 279.41	279F	Incidental processing during normal transportation: consolidation, water separation, settling, oil from electrical transformers/turbines being returned to original use. Activity exempt from used oil processor and re-refiner requirements.				
R 813(2)(b) CFR 279.61(b)	279F	Incidental processing during used oil management before burning may combine off-spec oil with virgin or on-spec oil for burning purposes, but not to produce on-spec oil. Activity exempt from used oil processor and re-refiner requirements.				
R 813(2)(c)	279F	Oil generated onsite and filtered/reconditioned and reused by generator, oil-water separation, oil mist collection from air, draining/removing oil, filter/reconditioning of oil before burning in onsite space heater. Activity exempt from used oil processor and re-refiner requirements.				
R 813(3) CFR 279.51	279F	Processors and re-refiners must obtain EPA ID#				
R 813(3) CFR 279.52	279F	Facility maintained and operated to minimize possibility of fire, explosion, or release. Facility equipped with <input type="checkbox"/> internal communication/alarm <input type="checkbox"/> Phone/radio <input type="checkbox"/> Portable fire extinguisher/other firefighting equipment <input type="checkbox"/> Spill control equipment <input type="checkbox"/> Adequate water volume/pressure <input type="checkbox"/> Testing/maintenance/access to all equipment, communications, alarms <input type="checkbox"/> Required aisle space <input type="checkbox"/> Arrangements with local and state emergency response <input type="checkbox"/> Complete contingency plan <input type="checkbox"/> Designated emergency coordinator				
R 813(3) CFR 279.54	279F	A single container or tank ≥660 gallons or a total of all containers and tanks (55 gallons or larger) ≥1320 gallons must meet: <input type="checkbox"/> Secondary containment and spill reporting requirements of SPCC CFR 112/NREPA Part 5 PIPP <input type="checkbox"/> UST requirements of CFR 280 Tanks/containers are not subject to CFR 264 and 265				
R 813(3) CFR 279.55	279F	Develop and follow written analysis plan for off-spec and on-spec used oil, including rebuttable presumption CFR 279.53 and on-spec fuel CFR 279.72				
R 813(3) CFR 279.56	279F	Keep a record of each used oil shipment accepted for processing, shipped to UO burner, processor/re-refiner, or disposal facility (log, invoice, manifest, bill of lading). <input type="checkbox"/> Name, address, ID# of transporter <input type="checkbox"/> name, address, ID# of generator <input type="checkbox"/> Quantity <input type="checkbox"/> Date of acceptance or delivery <input type="checkbox"/> Records retained for 3 years				
R 813(3) CFR 279.57	279F	Keeps written operating record and reporting. <input type="checkbox"/> Records and results of UO analysis plan <input type="checkbox"/> Incidents requiring implementation of contingency plan <input type="checkbox"/> Biennial report to EPA				
R 813(3) CFR 279.58	279F	Off-site shipments with a used oil transporter with EPA ID# and Michigan Part 121 license				
R 813(4) and R809(2)(b)	279F	<input type="checkbox"/> Used oil is characterized to determine it is not a hazardous waste using testing, knowledge, and halogen content <input type="checkbox"/> Record of characterization maintained for 3 years				
R 813(5)	279F	Used oil is stored only in containers and tanks				
R 813(6)	279F	Residues generated in processing and re-refining managed in accordance with Part 111				

See notes above for off-spec used oil explanation.



(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Burner of Off-Spec Used Oil for Energy Recovery <i>NREPA Part 111 Hazardous Waste Rules and 40 CFR 279</i>	C	NC	NI	NA
R 814(2)(a)(i) CFR 279.23	279G	Burning used oil in onsite space heater: Burns only the generator's used oil (UO) or DIY UO (with MI Air Quality permit) <input type="checkbox"/> Heater with maximum capacity of 0.5 million BTU/hr. <input type="checkbox"/> Combustion gases vented to ambient air <input type="checkbox"/> Activities exempt from used oil burner requirements.				
R 814(2)(a)(ii)	279G	Used oil burned by the processor/re-refiner for the purpose of processing UO, considered burning incidental to used oil processing. Activities exempt from UO burner requirements.				
R 814(2)(b)	279G	A person who burns on-spec used oil in a burner compliant with R 815. Activities exempt from used oil burner requirements				
R 814(3)(a)(i)	279G	Off-spec used oil burned for energy only in an industrial furnace				
R814(3)(a)(ii) (A)	279G	Off-spec used oil burned in an industrial boiler located onsite of a facility engaged in the mechanical or chemical manufacturing process of substances into new products				
R814(3)(a)(ii) (B)	279G	Off-spec used oil burned in a utility boiler to produce electric power, steam, heated/cooled air, or other gases or fluids for sale				
R814(3)(a)(ii) (C)	279G	Off-spec used oil burned in an oil-fired space heater that: <input type="checkbox"/> burns only the generator's UO or DIY UO (with MI Air Quality permit) <input type="checkbox"/> Heater with maximum capacity of 0.5 million BTU/hr. <input type="checkbox"/> Combustion gases vented to ambient air				
R 814(3)(a)(iii)	279G	Off-spec used oil burned in a hazardous waste incinerator subject to R 623				
R 814(3)(b)	279G	A used oil burner may combine off-spec oil with virgin or on-spec oil for burning purposes, but not with the purpose of creating on-spec used oil				
R 814(4) CFR 279.62	279G	Used oil burner shall obtain an EPA ID#				
R 814(4) CFR 279.64	279G	A single container or tank ≥660 gallons or a total of all containers and tanks (55 gallons or larger) ≥1320 gallons must meet: <input type="checkbox"/> Secondary containment and spill reporting requirements of SPCC CFR 112/NREPA Part 5 PIPP <input type="checkbox"/> UST requirements of CFR 280				
CFR 279.64(b)	279G	Containers and above ground tanks: <input type="checkbox"/> In good condition (no severe rust, structural defects, or deterioration) <input type="checkbox"/> No visible leaks				
CFR 279.64 (c)-(e)	279G	Secondary containment for containers and new and existing above ground tanks: <input type="checkbox"/> Dikes, berms, or retaining walls <input type="checkbox"/> Floor covering entire area within berm, dike, or retaining walls <input type="checkbox"/> Berms, walls, floor must be impervious to used oil				
CFR 279.64(f)	279G	<input type="checkbox"/> Containers/tanks labeled "Used Oil" <input type="checkbox"/> Fill pipes to UST labeled "Used Oil"				
CFR 279.64(g)	279G	If release occurred: <input type="checkbox"/> Stopped release <input type="checkbox"/> Contained the release <input type="checkbox"/> Clean up release <input type="checkbox"/> Repair/replace leaking containers				
CFR 279.65(a)	279G	Used oil burners must keep a record of each shipment accepted, record includes: <input type="checkbox"/> Name & address of transporter <input type="checkbox"/> Name & address of generator/processor/re-refiner <input type="checkbox"/> EPA ID# of transporter <input type="checkbox"/> EPA ID# of generator/processor/re-refiner <input type="checkbox"/> Quantity <input type="checkbox"/> Date accepted				
CFR 279.65(b)	279G	Records retained for 3 years				
CFR 279.66(a)	279G	One time written and signed certification provided to generator/processor/re-refiner from used oil burner				

CFR279.66(a)(1)	279G	The certification required above states that the used oil burner has notified EPA with location and description of used oil management activities				
CFR279.66(a)(2)	279G	The certification required above states that the used oil burner will burn in an industrial furnace or boiler identified in 279.61(a)				
CFR 279.66(b)	279G	Certification must be maintained for 3 years from the date of last shipment of off-spec used oil received				
R 814(5)	279G	Used oil is characterized to determine it is not a hazardous waste <input type="checkbox"/> using testing, knowledge, and halogen content <b>OR</b> <input type="checkbox"/> Characterization from processor/re-refiner <input type="checkbox"/> Record of characterization maintained for 3 years				
R 814(6)	279G	Used oil stored only in containers or tanks				
R 814(7)	279G	Residues generated in storage or burning of used oil managed in accordance with Part 111				

Used oil fuel marketer (definition R 109(w)) means any person who conducts either a direct shipment of *off-spec* used oil from his/her own facility to a used oil burner, or any person who is the first to claim that the used oil to be burned for energy recovery is on-spec meeting the used oil specifications of R 809(1)(f).

(C – Compliant; NC – Not Compliant; NI - Not Inspected; N/A - Not Applicable)

CITATION(S)	WDS	Used Oil Fuel Marketer <i>Part 111 Hazardous Waste Rules and 40 CFR 279</i>	C	NC	NI	NA
R 815(2)(a)	279H	Used oil generator or transporter who transports <b>on-spec</b> used oil received from generators is exempt from <b>used oil fuel marketer</b> requirements				
R 815(2)(a)	279H	Used oil burned by the processor/re-refiner for the purpose of processing is considered burning incidental to used oil processing and is exempt from <b>used oil fuel marketer</b> requirements				
R 815(2)(a)	279H	Used oil generator or transporter who directs shipments of <b>off-spec</b> used oil to used oil processor/re-refiner who incidentally burns used oil is exempt from <b>used oil fuel marketer</b> requirements				
R 815(2)(b)	279H	A person who directs shipments of <b>on-spec</b> used oil and is <b>not the first person</b> to claim the used oil meets on-spec requirements of R 809(1)(f) is exempt from <b>used oil fuel marketer</b> requirements.				
R815(1)	279H	Used oil fuel marketer is: <input type="checkbox"/> A person who directs a shipment of off-spec used oil from his facility to a used oil burner <b>OR</b> <input type="checkbox"/> A person that <b>first claims</b> that the used oil to be burned for energy recovery meets the used oil specifications or R 809(1)(f)				
R 815(3)(a)	279H	A UO fuel marketer initiates shipments of off-spec UO only to: <input type="checkbox"/> UO burner with EPA site ID# <input type="checkbox"/> and burned for use in an industrial furnace or boiler identified in R 814(3)(a)				
R 815(3)(b)	279H	Determine UO to be burned for energy recovery meets specifications of R 809(1)(f): <input type="checkbox"/> arsenic ≤ 5 ppm, cadmium ≤ 2 ppm, chromium ≤ 10 ppm, lead ≤ 100 ppm, flashpoint ≥ 100°F, total halogens ≤ 4000ppm				
R 815(3)(c)	279H	Maintains records of UO specification determination for 3 years				
R 815(3)(d) CFR 279.73	279H	Fuel marketer/generator/processor/re-refiner obtains EPA ID#				
R 815(3)(d) CFR 279.75(a)	279H	<input type="checkbox"/> One time written and signed certification provided to fuel marketer or generator/processor/re-refiner from used oil burner <input type="checkbox"/> Notifies EPA of burner location and description of UO management activities <input type="checkbox"/> Burner will only burn off-spec UO in an industrial furnace or boiler identified in CFR 279.61(a)				
R 815(3)(d) CFR 279.75(b)	279H	Certification retained by fuel marketer or generator/processor/re-refiner for 3 years from date of last off-spec shipment				
R 815(3)(e)	279H	<input type="checkbox"/> UO fuel marketer maintains a record of each shipment of <b>off-spec UO</b> to a burner for 3 years from date of shipment				

		Record contains: <input type="checkbox"/> Name, address, site ID# of transporter to burner <input type="checkbox"/> Name, address, site ID# of burner <input type="checkbox"/> Quantity <input type="checkbox"/> Date				
R 815(3)(f)	279H	<input type="checkbox"/> UO fuel marketer maintains a record of each shipment of <b>on-spec UO</b> for 3 years from date of shipment. Record contains: <input type="checkbox"/> Name, address, site ID# of receiving facility <input type="checkbox"/> Quantity <input type="checkbox"/> Date <input type="checkbox"/> Cross reference to UO on-spec determination record				

**NOTES:**

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.